

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: WIGLEY, David

SERIAL NO.: 10/543,024

ART UNIT: 2833

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EXAMINER: Goodwin, J. M.

TITLE: TIME DISPLAY APPARATUS

Amendment A: REMARKS

Upon entry of the present amendments, previous Claims 1 - 10 have been canceled and new Claims 11 - 16 substituted therefor. Reconsideration of the rejections, in light of the forgoing amendments and present remarks, is respectfully requested. The present amendments have been entered for the purpose of placing the claim language into a more proper U.S. format.

In the Office Action, Claims 1 - 5 and 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Lang publication. Claims 6 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the Lang publication in view of the Perez patent. Claims 8 - 10 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Additionally, the drawings were objected to under 37 C.F.R. 1.83(a) as not showing every feature of the invention.

As an overview to the present reply, Applicant has revised original Claims 1 - 6 in the form of new Claims 11 - 16. New Claims 11 - 16 express the original limitations in a proper U.S. format, including proper antecedent bases and proper structural interrelationships throughout. Any indefinite terminology found in the original claim language has been corrected herein. In particular, the functional references associated with the "control unit" is now recited as a "controlling means" having a proper "means-plus-function" language.

With respect to the prior art rejection based upon the Lang patent, Applicant respectfully

contends that the Lang patent is an improper reference. The Lang patent is a U.S. Patent Application Publication dated February 24, 2005 and having a filing date of August 4, 2003. The present application claims priority from the original United Kingdom Application Serial No. 0301797.7 filed on January 25, 2003. As such, the priority date of the present application predates the filing date of the Lang reference. As such, the Lang reference should not be considered as a proper prior art reference for the rejection of the present claims.

Also, the prior art Perez patent was published on April 21, 2005 based upon a filing date of April 30, 2004. Once again, the filing date of the Perez patent post-dates the international filing date (i.e. December 30, 2003) of the present application and also post-dates the priority date of January 25, 2003 of the present application. Once again, the prior art Perez patent is also not a proper prior art reference. On this basis, Applicant contends that independent Claim 11 is patentably distinguishable from the references cited by the Examiner.

Dependent Claims 12 - 16 herein, respectively, correspond to the limitations of previous dependent Claims 2 - 6.

Applicant has revised the original drawings so as to indicate the "control unit" with reference numeral "12a". A "Replacement Sheet" of drawings accompanies the present amendment. The reference numeral "12a" has also been included in the specification in those areas in which the "control unit" is identified.

Applicant has canceled previous Claim 7 in view of its duplication of previous independent Claim 1. Applicant has canceled previous Claims 8 - 10 in view of the Examiner's analysis.

Based upon the foregoing analysis, Applicant contends that independent Claim 11 is now in proper condition for allowance. Additionally, those claims which are dependent upon independent

Claim 11 should also be in condition for allowance. Reconsideration of the rejections and allowance of the claims at an early date is earnestly solicited. Since no new claims have been added above those originally paid for, no additional fee is required.

Respectfully submitted,

June 9, 2008	/Andrew W. Chu/
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